

IN THE DISTRICT COURT OF THE UNITED STATES

for the Western District of New York

**NOVEMBER 2017 GRAND JURY
(Impaneled 11/03/2017)**

THE UNITED STATES OF AMERICA

INDICTMENT

-vs-

BENJAMIN ASHER HANDLEY

Violations:

Title 18, United States Code,
Sections 922(k) and 922(o)(1);
Title 26, United States Code,
Section 5861(j)
(15 Counts)

COUNT 1

(Unlawful Shipment of Defaced Firearm)

The Grand Jury Charges That:

Between on or about February 16, 2018, and on or about February 22, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and ship in interstate commerce, from the State of Alaska to the State of New York, a firearm, that is, a Glock, model 17, 9mm pistol, from which the manufacturer's serial number had been removed, obliterated, and altered.

All in violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B).

COUNT 2

(Unlawful Transfer of Machinegun)

The Grand Jury Further Charges That:

Between on or about February 16, 2018, and on or about February 22, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transfer a machinegun, that is, a Glock, model 17, 9mm pistol with an obliterated serial number.

All in violation of Title 18, United States Code, Sections 922(o)(1) and 924(a)(2).

COUNT 3

(Unlawful Transport of Firearm)

The Grand Jury Further Charges That:

Between on or about February 16, 2018, and on or about February 22, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and deliver in interstate commerce, from the State of Alaska to the State of New York, a firearm, that is, a Glock, model 17, 9mm pistol with an obliterated serial number, a machinegun not registered as required by Chapter 53, of Title 26 of the United States Code.

All in violation of Title 26, United States Code, Sections 5861(j) and 5871.

COUNT 4

(Unlawful Shipment of Defaced Firearms)

The Grand Jury Further Charges That:

Between on or about March 8, 2018, and on or about March 9, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and ship in interstate commerce, from the State of Alaska to the State of New York, firearms, that is, a Glock, model 17, 9mm pistol; a RPB Industries, M10, .45 caliber pistol; and a Masterpiece Arms, MPA30T, 9mm pistol, from each of which the manufacturer's serial number had been removed, obliterated, and altered.

All in violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B).

COUNT 5

(Unlawful Transfer of Machineguns)

The Grand Jury Further Charges That:

Between on or about March 8, 2018, and on or about March 9, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transfer machineguns, that is, a Glock, model 17, 9mm pistol; a RPB Industries, M10, .45 caliber pistol; and a Masterpiece Arms, MPA30T, 9mm pistol, all with obliterated serial numbers.

All in violation of Title 18, United States Code, Sections 922(o)(1) and 924(a)(2).

COUNT 6

(Unlawful Transport of Firearms)

The Grand Jury Further Charges That:

Between on or about March 8, 2018, and on or about March 9, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and deliver in interstate commerce, from the State of Alaska to the State of New York, firearms, that is, a Glock, model 17, 9mm pistol; a RPB Industries, M10, .45 caliber pistol; and a Masterpiece Arms, MPA30T, 9mm pistol, all with obliterated serial numbers, machineguns not registered as required by Chapter 53 of Title 26 of the United States Code.

All in violation of Title 26, United States Code, Sections 5861(j) and 5871.

COUNT 7

(Unlawful Shipment of Defaced Firearms)

The Grand Jury Further Charges That:

On or about March 30, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and ship in interstate commerce, from the State of Alaska to the State of New York, firearms, that is, a Glock, model 17, 9mm pistol; and a Glock, model 19, 9mm pistol, from each of which the manufacturer's serial number had been removed, obliterated, and altered.

All in violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B).

COUNT 8

(Unlawful Transfer of Machineguns)

The Grand Jury Further Charges That:

On or about March 30, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transfer machineguns, that is, a Glock, model 17, 9mm pistol; and a Glock, model 19, 9mm pistol, both with obliterated serial numbers.

All in violation of Title 18, United States Code, Sections 922(o)(1) and 924(a)(2).

COUNT 9

(Unlawful Transport of Firearms)

The Grand Jury Further Charges That:

On or about March 30, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and deliver in interstate commerce, from the State of Alaska to the State of New York, firearms, that is, a Glock, model 17, 9mm pistol; and a Glock, model 19, 9mm pistol, both with obliterated serial numbers, machineguns not registered as required by Chapter 53 of Title 26 of the United States Code.

All in violation of Title 26, United States Code, Sections 5861(j) and 5871.

COUNT 10

(Unlawful Shipment of Defaced Firearm)

The Grand Jury Further Charges That:

On or about May 11, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and ship in interstate commerce, from the State of Alaska to the State of New York, a firearm, that is, a Velocity, VMAC 9, 9mm pistol, from which the manufacturer's serial number had been removed, obliterated, and altered.

All in violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B).

COUNT 11

(Unlawful Transfer of Machinegun)

The Grand Jury Further Charges That:

On or about May 11, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transfer a machinegun, that is, a Velocity, VMAC 9, 9mm pistol with an obliterated serial number.

All in violation of Title 18, United States Code, Sections 922(o)(1) and 924(a)(2).

COUNT 12

(Unlawful Transport of Firearm)

The Grand Jury Further Charges That:

On or about May 11, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and

deliver in interstate commerce, from the State of Alaska to the State of New York, a firearm, that is, a Velocity, VMAC 9, 9mm pistol with an obliterated serial number, a machinegun not registered as required by Chapter 53, of Title 26 of the United States Code.

All in violation of Title 26, United States Code, Sections 5861(j) and 5871.

COUNT 13

(Unlawful Shipment of Defaced Firearms)

The Grand Jury Further Charges That:

On or about July 24, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and ship in interstate commerce, from the State of Alaska to the State of New York, firearms, that is, two Velocity, VMAC 9, 9mm pistols from each of which the manufacturer's serial number had been removed, obliterated, and altered.

All in violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B).

COUNT 14

(Unlawful Transfer of Machineguns)

The Grand Jury Further Charges That:

On or about July 24, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transfer machineguns, that is, two Velocity, VMAC 9, 9mm pistols, both with obliterated serial numbers.

All in violation of Title 18, United States Code, Sections 922(o)(1) and 924(a)(2).

COUNT 15

(Unlawful Transport of Firearms)

The Grand Jury Further Charges That:

On or about July 24, 2018, in the Western District of New York, and elsewhere, the defendant, **BENJAMIN ASHER HANDLEY**, did knowingly and unlawfully transport and deliver in interstate commerce, from the State of Alaska to the State of New York, firearms, that is, two Velocity, VMAC 9, 9mm pistols, both with obliterated serial numbers, machineguns not registered as required by Chapter 53 of Title 26 of the United States Code.

All in violation of Title 26, United States Code, Sections 5861(j) and 5871.

DATED: Buffalo, New York, August 22, 2018.

JAMES P. KENNEDY, JR.
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A TRUE BILL:

S/FOREPERSON